IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

ORDER

S.B.CRIMINAL REVISION PETITION NO. 879/2006

(Om Prakash V/s State of Rajasthan & Anr.)

Date of Order : 26/07/2007

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. Sunil Mehta, for the petitioner.
Mr. V.R.Mehta, public prosecutor for the State.
Mr. Abdul Latif for the respondent No.2

BY THE COURT:-

By the instant criminal revision petition under Section 397 r/w 401 Cr.P.C., the petitioner has challenged the order dated 28.7.2006 passed by Judicial Magistrate, Ladnu (for short 'the trial court' hereinafter), whereby the trial court took the cognizance of the offences under Sections 448 and 323 IPC against the petitioner and issued the process.

Heard learned counsel for the parties. Perused the order impugned. I have also carefully gone through the statements of witnesses recorded under Section 200 and 202 Cr.P.C. as also statement of witness recorded under Section 161 Cr.P.C.

The trial court on the basis of the material placed on record, prima-facie came to the conclusion that there is sufficient material to proceed against the petitioner for the offences noticed above.

Learned counsel for the petitioner submits that there is a case against the non-petitioner No.2 and his wife and this case is nothing but a counter to the case instituted against them. Be that as it may. There is sufficient material showing that the offences disclosed in the order are prima-facie made out. In the circumstances, therefore, the trial court was justified in taking cognizance of the offences and issuing process.

No case for interference is made out. The revision petition is therefore, dismissed.

(H.R.PANWAR),J.

rp